

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 09-63176

TIA NOREEN SHEPERD, *pro se*,

Chapter 7

Debtor.  
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Judge Thomas J. Tucker

**ORDER DENYING DISCHARGE IN A CHAPTER 7 CASE**

On July 27, 2009, the Court entered an “Order to Show Cause Why Debtor is Entitled to a Discharge,” requiring Debtor to “appear . . . and show cause why the debtor(s) is entitled to discharge in view of 11 U.S.C. 727(a)(8) and 727(a)(9).” The Court held a hearing on August 24, 2009. The Debtor appeared at the hearing. At the hearing, the Court determined that Debtor is not entitled to a discharge in view of 11 U.S.C. § 727(a)(8), because Debtor received a Chapter 7 discharge in a case commenced within 8 years before the date of the filing of the petition for relief in this case.<sup>1</sup> Accordingly,

IT IS ORDERED that Debtor’s discharge is DENIED.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(1), the automatic stay under § 362(a) continues with respect to any act against property of the estate, until such property is no longer property of the estate; or until such stay terminates under some other provision of the Bankruptcy Code; or until the Court orders otherwise.

IT IS FURTHER ORDERED that, consistent with 11 U.S.C. §§ 362 (a) and 362(c)(2)(C), the automatic stay under § 362(a) of any act other than an act against property of

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<sup>1</sup> Debtor received a Chapter 7 discharge in Case No. 02-65816 on February 21, 2003. That case was filed in this Court on October 31, 2002. Debtor filed the present Chapter 7 case on July 27, 2009.

the estate is terminated.

This Order is without prejudice to Debtor's right to seek to convert this case to Chapter 13 and to seek to obtain a discharge under Chapter 13. *See generally* 11 U.S.C. § 1328(f).

**Signed on August 26, 2009**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**